

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appellants: NIERHAUS et al.

Application No.: 10/627,554

Filing Date: 7/25/2003

FOR: SYSTEM AND METHOD FOR  
INDICATING A SPEAKER DURING A  
CONFERENCE

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)  
) Confirmation No.: 3548

) Group Art Unit: 2614

) Examiner: Karen L. Le

) **CORRECTED APPEAL BRIEF**  
) **CLAIMS APPENDIX A**

) Docket No.: 2003P04477US  
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Mail Stop Appeal Brief – Patents (via EFS)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Appellants hereby appeal to the Board of Patent Appeals and Interferences from the Notice of Non-Compliant Appeal Brief mailed October 26, 2009, the Final Office Action mailed May 27, 2009 (the "Final Office Action") and the Notice of Panel Decision from Pre-Appeal Brief Review mailed September 2, 2009, rejecting claims 1, 2, 4 through 18, and 20 through 23. Appellants hereby re-submit the Appendix A – Claims section of the Appeal Brief.

### CONCLUSION

If any issues remain, or if the Examiner or the Board has any further suggestions for expediting allowance of the present application, kindly contact the undersigned using the information provided below.

Respectfully submitted,

November 10, 2009  
Date

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## APPENDIX A - CLAIMS

1. A method for indicating a speaker during a conference, comprising:
  - determining a list of participants in a conference;
  - determining a sample from said conference;
  - determining a first participant from said list that is speaking during said sample;
  - determining a second participant from said list that is speaking during said sample;
  - providing data indicative of said sample;
  - providing data indicative of said first participant and said second participant;
  - displaying a first graphic indication that said first participant is speaking, wherein the first graphic indication further indicates a first level of activity;
  - displaying a second graphic indication that said second participant is speaking, wherein the second graphic indication further indicates a second level of activity, wherein the first level of activity is different than the second level of activity, wherein the second graphic indication is displayed at a same time as the first graphic indication, wherein the first graphic indication comprises an icon having a first size based on the first level of activity, and wherein the second graphic indication comprises an icon having a second size based on the second level of activity.
2. The method of claim 1, wherein said determining a participant from said list that is speaking during said sample includes determining an active channel in said sample and determining a speaker associated with said active channel.
3. (Cancelled)
4. The method of claim 1, further comprising:
  - determining at least one active channel in said conference.
5. The method of claim 4, wherein said determining at least one active channel includes determining significance of a plurality of channels in said conference and selecting said at least one active channel from said plurality of channels.

6. The method of claim 4, wherein said determining a sample from said conference includes determining a sample from said at least one active channel.
7. The method of claim 1, wherein said providing data indicative of said sample includes providing a sample of voice data associated with said conference.
8. The method of claim 7, wherein said providing data indicative of said first participant includes providing said data via a first channel and wherein said providing a sample of voice data associated with said conference includes providing said sample of voice data via a second channel.
9. A method of claim 7, wherein said providing data indicative of said first participant includes providing said data to a first client device and wherein said providing a sample of voice data associated with said conference includes providing said sample of voice data to a second client device.
10. The method of claim 1, further comprising:  
determining a significance of at least one active channel in said conference.
11. The method of claim 10, wherein said determining a first participant from said list that is speaking during said sample includes identifying a first participant speaking on said at least one active channel during said sample.
12. The method of claim 1, wherein said data indicative of said first participant includes data indicative of a device associated with said first participant.
13. The method of claim 1, wherein said data indicative of said first participant includes data indicative of a channel associated with said participant.

14. The method of claim 1, wherein said sample includes data from multiple active channels associated with said conference.
15. The method of claim 1, wherein said determining a first participant from said list that is speaking during said sample includes determining a first participant from a plurality of participants that are aggregated on a channel.
16. The method of claim 1, wherein said data indicative of said sample has a different sample size than said data indicative of said first participant.
17. A system for indicating a speaker during a conference, comprising:
  - a network;
  - at least one client device operably coupled to said network; and
  - a server operably coupled to said network, said server adapted to determine a list of participants in a conference; determine a sample from said conference; determine a first participant from said list that is speaking during said sample; determine a second participant from said list that is speaking during said sample; provide data indicative of said sample; provide data indicative of said first participant and said second participant; display a first graphic indication that said first participant is speaking, wherein the first graphic indication further indicates a first level of activity; and display a second graphic indication that said second participant is speaking, wherein the second graphic indication further indicates a second level of activity, wherein the first level of activity is different than the second level of activity, wherein the second graphic indication is displayed at a same time as the first graphic indication, wherein the first graphic indication comprises an icon having a first size based on the first level of activity, and wherein the second graphic indication comprises an icon having a second size based on the second level of activity.
18. The system of claim 17, wherein said server is adapted to determine an active channel associated with said conference.
19. (Cancelled)

20. The system of claim 17, wherein said client device is adapted to display an indication of said participant.

21. The system of claim 17, wherein said client device is adapted to display a level of activity of said participant in said sample.

22. A system for indicating a speaker during a conference, comprising:

a processor;

a communication port coupled to said processor and adapted to communicate with at least one device; and

a storage device coupled to said processor and storing instructions adapted to be executed by said processor to:

determine a list of participants in a conference;

determine a sample from said conference;

determine a first participant from said list that is speaking during said sample;

determine a second participant from said list that is speaking during said sample;

during said sample;

provide data indicative of said sample;

provide data indicative of said first participant and said second participant;

and

display a first graphic indication that said first participant is speaking,

wherein the first graphic indication further indicates a first level of activity;

display a second graphic indication that said second participant is speaking, wherein the second graphic indication further indicates a second level of activity, wherein the first level of activity is different than the second level of activity, wherein the second graphic indication is displayed at a same time as the first graphic indication, wherein the first graphic indication comprises an icon having a first size based on the first level of activity, and

wherein the second graphic indication comprises an icon having a second size based on the second level of activity.

23. An article of manufacture comprising:

a computer readable medium having stored thereon instructions which, when executed by a processor, cause said processor to:

determine a list of participants in a conference;

determine a sample from said conference;

determine a first participant from said list that is speaking during said sample;

determine a second participant from said list that is speaking during said sample;

provide data indicative of said sample;

provide data indicative of said first participant and said second participant; and

display a first graphic indication that said first participant is speaking, wherein the first graphic indication further indicates a first level of activity;

display a second graphic indication that said second participant is speaking, wherein the second graphic indication further indicates a second level of activity, wherein the first level of activity is different than the second level of activity, wherein the second graphic indication is displayed at a same time as the first graphic indication, wherein the first graphic indication comprises an icon having a first size based on the first level of activity, and wherein the second graphic indication comprises an icon having a second size based on the second level of activity.